

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

**F046990 In re C.S. et al., Minors; Tulare County Health and Human Services Agency
v. Larry S.**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F046990 In re C.S. et al., Minors; Tulare County Health and Human Services Agency
v. Larry S.**

The jurisdictional and dispositional orders are vacated and this matter is remanded to the juvenile court with directions that it: (1) require the Agency to give notice consistent with the ICWA and this opinion and file with the court the notices, return receipts, and any responses; and (2) hold a new jurisdictional and dispositional hearing. If the court again determines the ICWA notice was proper and no Indian entity seeks to intervene or otherwise indicates C. and D. are Indian children as defined by ICWA, the court shall reinstate all of its previous findings and orders. If, on the other hand, an Indian entity determines C. and D. are Indian children under ICWA, the court shall conduct the detention, disposition and all subsequent hearing in accordance with ICWA.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F047959 The People v. The Superior Court of Tulare County; Robert Montez

Let a peremptory writ of mandate issue directing the Tulare County Superior Court to vacate its April 20, 2005, order granting the defendant's motion to suppress in its action No. 140948 and to enter a new order denying said motion.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F048185 Joe L. v. Superior Court of Tulare County; Tulare Co. Health and Human
Services Agency**

Pursuant to the terms of this court's order of July 20, 2005, and the failure of any party to request oral argument, the oral argument date of August 18, 2005, is vacated.

This matter is deemed submitted on the date of this order.